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500.38017X00/E4051-02EJ



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): KATO, et al.
Serial No.: 09/446,507
Filed: December 27, 1999
For: PHASE-LOCKED LOOP CIRCUIT, INFORMATION
PROCESSING APPARATUS AND INFORMATION
PROCESSING SYSTEM
Group: 2631
Examiner: T. Bocure

REQUEST FOR ACKNOWLEDGEMENT OF CONSIDERATION OF ISR REFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 7, 2005

Sir:

MPEP 1893.03(g) (highlighted copy provided herewith) states that "the examiner will consider the documents cited in the international search report, without any further action by applicant under 37 CFR 1.97 and 1.98, when both the international search report and copies of the documents are indicated to be present in the national stage file. In the present application, while the USPTO's 20 March 2000 Notification of Acceptance communication (copy provided herewith) confirms the USPTO's receipt of a copy of the ISR and ISR references, there is presently no evidence in the record that the Examiner has considered the ISR references. That is, the Examiner has not noted consideration in the first (or any other) Office action.

Provided herewith, for the Examiner's convenience, are pre-completed PTO/SB/08 (or PTO-1449) forms, for the Examiner to initial the same to indicate

consideration of the ISR references. Further provided herewith, for the Examiner's convenience, is a duplicate set of the ISR references. It is respectfully requested that the Examiner initial and return copies of the PTO/SB/08 (or PTO-1449) forms.

In addition to the above, any considerations by the Examiner to get such references listed on the printed patent as having been considered, would be greatly appreciated by Applicant and the Undersigned.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 500.38017X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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PJS/slk
Enclosures:

MPEP 1893.03(g)
USPTO's 20 March 2000 Notification of Acceptance communication
PTO/SB/08 (or PTO-1449) forms
Copies of ISR References

1893.03(f) Drawings and PCT Rule 11 [R-2]

The drawings for the national stage application must comply with PCT Rule 11. The copy of the drawings provided by the International Bureau has already been checked and should be in compliance with PCT Rule 11. Accordingly, the drawing provided by the International Bureau >(see MPEP § 1893.03(e))< should be acceptable. The USPTO may not impose requirements beyond those imposed by the Patent Cooperation Treaty (e.g., PCT Rule 11). However, the examiner does * have the authority to require new ** drawings if the drawings were published without meeting all requirements under the PCT for drawings. **

1893.03(g) Information Disclosure Statement in a National Stage Application [R-2]

An extensive discussion of Information Disclosure Statement practice is to be found in MPEP § 609. Although not specifically stated therein, the duty to disclose information material to patentability as defined in 37 CFR 1.56 is placed on individuals associated with the filing and prosecution of a national stage application in the same manner as for a domestic national application. The **>avermnt< with respect to the duty under 37 CFR 1.56 >required under 37 CFR 1.63(b)(3) in an oath or declaration is applicable to oaths and declarations filed in U.S. national stage applications. See 37 CFR 1.497(c)<.

When an international application is filed under the Patent Cooperation Treaty (PCT), prior art documents may be cited by the examiner in the international search report and/or the international preliminary examination report. It is desirable for the U.S. examiner to consider the documents cited in the international application when examining the U.S. national stage application or when examining an application filed under 35 U.S.C. 111(a) which claims the benefit of the international application under 35 U.S.C. 365(a) or (c).

As a result of an agreement among the European Patent Office (EPO), Japan Patent Office (JPO), and the United States Patent and Trademark Office (USPTO), copies of documents cited in the international search report issued by any one of these Inter-

national Searching Authority Offices generally are being sent to the other Offices when designated in the international application. Accordingly, in many national stage applications where the international search was conducted by the EPO, JPO, or USPTO, copies of the documents cited in the international search report are made available to the examiner in the national stage application.

When all the requirements for a national stage application have been completed, applicant is notified (Form PCT/DO/EO/903) of the acceptance of the application under 35 U.S.C. 371, including an itemized list of the items received. The itemized list includes an indication of whether a copy of the international search report and copies of the references cited therein are present in the national stage file. The examiner will consider the documents cited in the international search report, without any further action by applicant under 37 CFR 1.97 and 1.98, when both the international search report and copies of the documents are indicated to be present in the national stage file. The examiner will note the consideration in the first Office action. There is no requirement that the examiners list the documents on a PTO-892 form. See form paragraphs 6.53, 6.54, and 6.55 (reproduced in MPEP § 609). Otherwise, applicant must follow the procedure set forth in 37 CFR 1.97 and 1.98 in order to ensure that the examiner considers the documents cited in the international search report.

This practice applies only to documents cited in the international search report relative to a national stage application filed under 35 U.S.C. 371. It does not apply to documents cited in an international preliminary examination report that are not cited in the search report. It does not apply to applications filed under 35 U.S.C. 111(a) claiming the benefit of an international application filing date.

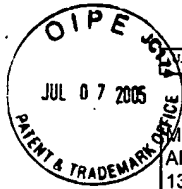
1895 A Continuation>, Divisional,< or Continuation-in-Part Application of a PCT Application Designating the United States [R-2]

It is possible to file a U.S. national application under 35 U.S.C. 111(a) during the pendency (prior to the abandonment) of an international application which designates the United States without completing the requirements for entering the national stage





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231



U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/446507	KATO	K 500.38017X00
INTERNATIONAL APPLICATION NO.		
PCT/JP98/02870		
I.A. FILING DATE	PRIORITY DATE	
26 JUN 98	27 JUN 97	

DATE MAILED: 20 MAR 2000

NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371
AND 37 CFR 1.494 OR 1.495

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

27 December 1999
35 U.S.C. 102(e) DATE

27 December 1999
DATE OF RECEIPT OF
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371(C) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☐ A request for immediate examination under 35 U.S.C. 371(f) was received on _____ and the application will be examined in turn.

4. The following items have been received:

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☒ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.

The Article 19 amendments ☐ have ☐ have not been entered.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Copy of the Annexes to the International Preliminary Examination Report (IPER).

☐ Translation of Annexes to the IPER into English.

The Annexes ☐ have ☐ have not been entered.

☐ Preliminary amendment(s) filed _____ and _____.

☐ Information Disclosure Statement(s) filed _____ and _____.

☒ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____.

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Deborah Williams

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